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Wally Fujiyama and the University of Hawai'i: 1974–1982

WHEN HE DIED ON MARCH 6, 1994, Wallace S. Fujiyama—universally known as Wally—was seen by the attentive public at that time as an influential lawyer and a facilitator of Japanese investments in Hawai'i, activities that had dominated the last dozen years of his life. Those who had been paying attention for a longer period of time remembered Wally Fujiyama for much more. Governor Ben Cayetano remembered Wally at his March 13th funeral at the Hosoi Garden Mortuary as, “the smartest man I ever met,” and “the quintessential local boy.” His former partner for 20 years, Jim Duffy, called him, “my hero, my partner, my friend,” and pointed out, “In forty years of practice Wally never lost a civil jury trial.” Strangely, there was nobody there to speak from the University of Hawai'i, an institution on whose Board of Regents Wally had served for eight years, from 1974 to 1982, an institution whose law school was in large part the work of this man. That part of Wally's public life was, instead, noted by Walter Dods, Chairman of the Board of First Hawaiian Bank. Dods portrayed Wally

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Fujiyama as a man who was not afraid to ask tough questions, especially about the University of Hawai'i:

He asked, "What should the University of Hawaii's faculty work load be?" and, "Shouldn't the faculty be spending more time in the classrooms?" And he accepted the furor that came with these questions.

He asked, "Why aren't there more local professors on the UH faculty?" And he accepted the furor that came with that question.

He asked, "Why aren't there more local athletes being given scholarships at the university?" And he took the furor that came with that question.

Dods concluded: "Wally was a giant in our community who often tweaked our consciousness, if not our noses."¹

The purpose of this paper is to look at Wally Fujiyama's association with the University of Hawai'i from his time as an 18 year old freshman to his death over half a century later, focusing primarily on his years as a member of the Board of Regents of the university he loved so much. This material was originally part of a biography I was writing about Wally Fujiyama at the time of his death. With his passing, doors Wally had opened for me were suddenly closed by those who did not want a close examination of the Fujiyama, Duffy & Fujiyama law firm to be published. The motives of those who wanted to limit the scope of the project did not appear to be fear that any wrongdoing might be exposed. Their concerns seemed to be focused on the issue of privacy, concerns Wally did not share.

FROM STUDENT TO SOLDIER TO COP TO LAWYER

Wally Fujiyama's history with the University of Hawai'i went back to 1943 when, as a recent graduate of McKinley High School, he matriculated at the Mānoa campus intending to become an engineer. Had he been a year older, Wally may well have become a member of the famed 442nd Regimental Combat Team that was organized just months before his high school graduation and ended up leading a very different life than he did. As it was, through his association with

¹ Author's notes from Wally Fujiyama's funeral, 13 Mar. 1994.

the engineering department, Wally became a member of a special reserve unit of the United States Army while attending the University. His unit was activated in 1944 and was assigned to the Army Transportation Corps on Sand Island. He never left Hawai'i during his military service, but he did qualify for the G.I. Bill of Rights. This would make a profound difference in his subsequent life. As Wally aptly pointed out in a 1993 interview, "The complexion of this state changed completely because of the G.I. Bill."²

By the time World War II had ended, Wally was married to his high school sweetheart and they had produced a son, Rodney. Financially, this required that he wait for two years before returning to the University of Hawai'i. Those two years were spent as a rookie cop for the Honolulu Police Department, an experience that changed his future educational direction from engineering to the law. Having had occasion to spend time in Honolulu courtrooms, watching people such as the venerable O. P. Soares and a young attorney by the name of William Richardson, Wally remembered thinking, "Lawyer seems pretty good. These guys make a lot of money. They all have nice suits. If they can do it, why the hell can't I?"³

Back at the University in 1948, Wally studied with a new purpose. When he discovered there were law schools that would accept veterans who had not completed their undergraduate degrees, he jumped at the chance. The question was where to go? He turned to William Richardson, who had graduated from the law school at the University of Cincinnati. On the basis of Richardson's recommendation, Wally was accepted. Three years later, in 1953, he returned to Hawai'i having garnered many honors. But when he returned to Hawai'i he found the doors to the elite law firms closed to him, in spite of his stellar record in law school. Wally recalled how he had attempted to "storm the fortress," starting with the Goodsill law firm, now Goodsill Anderson Quinn & Stifel, a firm that dates its presence in Hawai'i to 1878. "Did you graduate from the upper ten percent of your class? Were you on the law review? Have you got any writing experience?" his interviewer asked. Wally responded, citing his academic honors:

² Wally Fujiyama, interview with author, 16 Nov. 1993.

³ Wally Fujiyama, interview.

Order of the Coif, Associate Editor of the University of Cincinnati Law Review, and the Cincinnati Court Index Award, an enviable trifecta for any law school graduate. Wally left the Goodsell offices with assurances that, "We will call you." Forty years later Wally would recall, with a slight edge in his voice, "I'm still waiting for that call."⁴

THE YOUNG REPUBLICAN LAWYER

After trying to start his own law practice in space rented from William Richardson, Wally found a better way to put bread on the table for his family. Republican Party leader Wilfred Tsukiyama, an old friend of his father, got Wally a job in the Attorney General's office. It was a job that gave him a steady income and plenty of free time. Much of that free time was spent rising in the ranks of the Young Republicans, becoming president of the Oahu chapter in 1956. He so captured the interest of Territorial Governor Samuel Wilder King that he was appointed as a delegate to the Republican National Convention in 1956. When President Eisenhower later turned his back on King, in favor of *malihini haole* (a Caucasian who was not born in Hawai'i) William Quinn, Wally was devastated. To Wally, it was not a matter of ideology, but personal loyalty. He decided to leave politics behind him and concentrate on becoming a good lawyer. He began by doing legal research for Hiram Fong's law firm, Fong, Miho, Choy & Chuck, while still working at the Attorney General's office.

When Walter Chuck decided to go out on his own in 1959, he brought Wally Fujiyama with him. The Chuck & Fujiyama partnership lasted until 1974, when they finally split over the issue of pay for junior partners; Wally thought they should be paid more and Chuck refused. When he left, Jim Duffy and Wally's son, Rodney, went with him to form the new firm of Fujiyama, Duffy & Fujiyama, a legal practice that prospered until his death in 1994.

As Wally's success as a lawyer grew, so did his standing in the legal profession. In 1962, his old sponsor, now Chief Justice Wilfred Tsukiyama, recommended Wally to become a member of the State Board of Bar Examiners, a position he held for 20 years. In 1966, another old

⁴ Wally Fujiyama, interview.

sponsor, Chief Justice William Richardson, appointed him to the Ethics Committee of the Hawai'i State Bar Association. In 1971, he was elected president of the Hawai'i Trial Lawyers Association. By 1973 he was President of the Bar Association. During these years, Wally had lobbied for the establishment of a law school at the University of Hawai'i. The fact that there was no law school in Hawai'i for him, or even his son, to attend had a profound impact upon the ultimate establishment of the law school at the University of Hawai'i. It was no mere coincidence that the law school began operations in 1973, the year Wally began his service as president of the Hawai'i State Bar Association.

THE ACTIVE SPORTS FAN

Much of Wally Fujiyama's association with the University of Hawai'i in the early 1970s was connected with sports. Like many others, Wally was crazy about the "Fab Five," the Rainbow basketball team that took the University of Hawai'i to its first National Collegiate Athletic Association (NCAA) tournament in 1972. In 1971, Wally was touched when he heard that guard Jerome Freeman's mother had never seen her son play in a college game. Quietly, Wally arranged for Jerome's mother to come to Hawai'i for the 1971 Rainbow Classic. It was done at Wally Fujiyama's expense—and pleasure. The NCAA would question the propriety of Wally's generosity, but not his motivation.

Jerome Freeman was not the only University of Hawai'i athlete to benefit from Wally's generosity. Cliff LaBoy, a defensive standout for Rainbow football teams in the mid-1970s, recalled that without Wally's help he would not have been able to attend the university. For LaBoy it was not just a question of being able to afford the tuition; it was a necessity that he bring money home for his family. The "job" Wally provided Cliff LaBoy was most likely contrary to NCAA rules, but was it wrong? "If it hadn't been for Wally," LaBoy fiercely asserted in 1995, "I'd probably be in jail today."⁵ Instead, LaBoy became a respected Honolulu businessman—with a son in the National Football League.

LaBoy and several of his teammates were beneficiaries of another

⁵ Cliff LaBoy, interview by author, 19 July 1995.

kind of support from Wally in 1973 when a potential scandal surfaced over charges of gambling raised by Rainbow quarterback Casey Ortez. Through the first eight games of the season the Rainbow team was undefeated. Then they faced a lightly regarded University of the Pacific team, losing 28 to 3. LaBoy recalled that the Rainbow defensive players were beside themselves during the game. "Casey turned 'em over as fast as we could get it back. If you look at the films of the game, it was all too obvious."⁶ Newspaper accounts of the Rainbow loss reveal that Ortez committed five turnovers, four interceptions, and one fumble.⁷ This was a far cry from the stellar performances Ortez had turned in earlier in the year. LaBoy recalled that after the game he was told by friends that Ortez and his father had bet heavily against the University of Hawai'i football team, perhaps as much as \$60,000 "in small amounts spread all over the place." An irate LaBoy proceeded to the locker room, sought out Ortez and in his own words, "kicked his ass."⁸

Two days later Casey Ortez and his father left town. Before they left, however, Ortez talked with Bruce Spinks of the *Honolulu Advertiser* and charged that a number of defensive players were involved with betting on Rainbow football games, then they blamed him when he failed to make the spread. Spinks asked Ortez if he himself had ever made bets on University of Hawai'i football games. Ortez responded that he had "never bet a nickel on any football game and I'll take a lie detector test or anything else they put in front of me."⁹ Wally Fujiyama was livid that Spinks had reported the quarterback's charges as straight news. In a letter to the *Honolulu Advertiser* Wally wrote:

This reporter took at face value the complaints of an immature, disgruntled young man who obviously had an axe to grind against the University of Hawaii football program. . . It is inconceivable that this writer did not press for names, dates, places, witnesses and specific facts before printing such serious charges. One of the unfortunate results of

⁶ Cliff LaBoy, interview.

⁷ *HA*, 19 Nov. 1973: C-1.

⁸ Cliff LaBoy, interview.

⁹ *HA*, 20 Nov. 1973: B-1.

this type of reporting is the discredit it brought upon the players, the University, the community and [assistant] coach Larry Price.¹⁰

What was the truth about the gambling charges? Did Casey Orteiz make his charges as a smoke screen to obscure his own gambling activities? Two points are worth noting. First, six weeks before Orteiz made his charges he was called into Athletic Director Paul Durham's office to respond to rumors that he had been betting on University of Hawai'i football games. Second, nobody ever explained why Phil Orteiz, Casey's father, had suddenly appeared in Hawai'i after the fourth game of the season and remained until he and his son departed on November 19, 1973. Larry Price, who was soon to be closely linked with Wally Fujiyama, referred to Casey Orteiz in a 1994 interview as "a very unstable young man." The ultimate evidence of his instability, in Price's estimation, was the fact that he took his own life after failing to make any of the several National Football League teams with which he was given a trial.¹¹

BECOMING A REGENT

Shortly after the Orteiz affair, on December 21, 1973, Acting Governor George Ariyoshi announced the nomination of Wally Fujiyama to the Board of Regents of the University of Hawai'i. Ariyoshi announced Wally's appointment, but it was the ailing Governor John A. Burns who made the selection. One of the principal reasons Governor Burns had selected him was the fact that the University of Hawai'i was about to embark upon a NCAA Division One football program. Burns wanted a regent who would be an advocate for that move. James S. Burns, the recently retired Chief Judge of the Hawai'i Court of Appeals, expanded upon his father's ambitions for the University in 2008: "My father's desire was for UH Mānoa to have a first class athletic program, law school, and medical school. He wanted Wally appointed regent so that he could help accomplish all of my father's

¹⁰ HA, 1 Dec. 1973: C-1, C-5.

¹¹ Larry Price, interview, 24 May 1994.



Wallace "Wally" S. Fujiyama in 1974 after being Appointed to the University of Hawai'i Board of Regents. Miyamoto Collection, University of Hawai'i at Mānoa Library.

desires."¹² The first episode that brought the name of Wally Fujiyama to the attention of the public as a regent involved the University's football program, but it quickly took on a broader dimension, becoming a struggle over the nature of university governance.

In February 1974, University of Hawai'i football coach Dave Holmes¹³ surprised many in town with his resignation. It came at an awkward time, just one month before the NCAA's deadline for America's college bound athletes to sign their "letters of intent" to accept athletic scholarships for the following fall. Holmes had been under no apparent pressure to resign, but during the Ortey incident there had been talk about a split within the coaching ranks. When asked about rumors that he might leave, Holmes told the *Honolulu Advertiser*, "If I'm not on the job next year it won't be because I can't stand the pressure. If I ever leave here it will be because I have some other

¹² James S. Burns, e-mail message to author, 15 May 2008.

¹³ Dave Holmes is no relation to the author.

offer that's more attractive or because they can me."¹⁴ As a coach with a six-year record of 46 wins, 17 losses and 1 tie, who had just completed his best season with 9 wins and 2 losses, Holmes did not look like a man who was about to be fired. Many saw Dave Holmes as the man who could take University of Hawai'i football into Division One football. Others did not.

THE LARRY PRICE AFFAIR

Wally Fujiyama was one of those who felt that the move to Division One football required a coach who could keep Hawai'i's considerable high school football talent in the state, rather than sending them off to the mainland. His candidate was Larry Price, defensive coordinator for Dave Holmes and a local legend as a player and coach. In addition to his coaching, Price ran the athletic dormitory. He was immensely popular with the football players, particularly the locals. At the time of Holmes' resignation, Price had already been approved for a sabbatical leave from his faculty position in the Department of Physical Education. He planned to attend American University in Washington D.C. to complete his Ph.D. in public administration. He had an assistant coaching job lined up with George Allen of the Washington Redskins and he had already attended his going away party.

In 1994, Larry Price explained that his decision to accept the position as head football coach at the University of Hawai'i was made, over coffee, at Washington Place. Governor Burns, the foremost advocate of Division One football for the University, asked Price one key question: "Larry, do you think Hawai'i can be competitive in Division One football with local players?" When he said, "Yes," the governor left him no choice but to accept the job. In turn, Jack Burns asked Wally Fujiyama, as a member of the Board of Regents, to "take care of Larry."¹⁵ In the March 4, 1974 announcement of Price's appointment, it was reported that he had been given a two-year contract by University of Hawai'i Mānoa Chancellor Wytze Gorter. This did not please Price, who had asked for a five-year contract. Without such a contract, Price

¹⁴ HA, 3 Dec. 1973: C-1.

¹⁵ Larry Price, interview.

asked, how could he recruit football players who were being asked to make a four-year commitment?

On May 16, 1974 the Board of Regents voted to extend Price's contract to five years. The same day, Gorter resigned in protest. The following day, three more Mānoa administrators resigned; eventually there would be six. Hoping to forestall the extension of Price's contract by the Board of Regents, outgoing University president, Harlan Cleveland, made the following public statement:

I recommended coach Price's appointment with enthusiasm and I certainly hope he has a long and successful career in coaching University of Hawaii teams. The question at issue is the constitutional role of the Board of Regents. Members of the board have, in effect, negotiated a contract with a subordinate official on the University staff, and also with the employee union involved [the Hawaii Government Employees Association (HGEA)], independent of the University administration. . . . Such action would be a signal that this board is prepared to reach into the University and manage directly . . . the affairs of individual departments and programs. Down that road lies big trouble for the University of Hawaii. It's no way to run even a railroad. It certainly isn't the way to manage one of the nation's major state universities.¹⁶

The day after Gorter resigned, Wally Fujiyama went public with the Regent's version of what had happened. He explained that shortly after Dave Holmes had resigned a meeting took place to discuss the situation. Those present included Gorter, Athletic Director Paul Durham, and six of the Board of Regent's eleven members. "The consensus was that whoever was selected for the job would get a five-year contract." When Gorter announced a two-year contract, without referring the matter back to the group, "the consensus of the board was that, look, let's get him on and straighten out the five-year thing later." Between March 4 and May 15, as Fujiyama's statement continued, Cleveland, Gorter, Durham and the Board of Regents had been discussing the matter with no resolution. On May 15, in executive session, the Board of Regents gave Cleveland an ultimatum: "We gave him until eight o'clock the next morning," Fujiyama told the press.

¹⁶ *HA*, 17 May 1974: 1, A-6.

On the morning of May 16, when no word came from Cleveland, the Board of Regents acted on its own. As Wally explained, "If something is wrong, clearly wrong, my proper procedure is to go to the administration and ask them to check it out. Then, if nobody moves, it is my duty to act."¹⁷

David Trask, executive director of the HGEA, was quick to challenge Harlan Cleveland. "The law says I have to deal with the Board of Regents, not the president of the University or the chancellor. Now, all of a sudden, the president says I'm not supposed to deal with the Regents. He's absolutely incorrect." Trask had little sympathy for Chancellor Wytze Gorter or the other administrators who had resigned, saying, "It's like what Harry Truman said, 'If you can't stand the heat, get out of the kitchen.'"¹⁸ Four days later he added, "They didn't really quit. They just went back to their old jobs, so they really didn't mean it. If the University is so terrible, then tell me why—why is Wytze Gorter still hanging around?"¹⁹

The local dailies were quick to side with Cleveland and Gorter against the Board of Regents. In an editorial, the *Honolulu Advertiser* wrote, "Insiders describe it as a generally weak board dominated by a hard-driving, ambitious member with some hang-ups, regent Wallace Fujiyama. Such assessments may or may not be unfair, but the evidence to date is not reassuring."²⁰ The *Honolulu Star-Bulletin* displayed no such caution, extravagantly comparing the Board of Regents' action to Huey Long's politicization of Louisiana State University and Hitler's early thrust for power:

The rush of administrators to follow Chancellor Wytze Gorter in resigning, suggests a calculated confrontation, with the administration viewing this issue as something like Hitler's reoccupation of the Rhineland. Europe's failure to resist that first expansive land grab by the German dictator led to future land grabs in World War II. The regent to cast in the Hitler role is not hard to identify.²¹

¹⁷ HA, 18 May 1974: D-6.

¹⁸ HSB, 17 May 1974: A-6.

¹⁹ HSB, 21 May 1974: A-15.

²⁰ HA, 18 May 1974: A-18.

²¹ HSB, 18 May 1974: A-10.

On Sunday, May 19, University of Hawai‘i at Mānoa graduation took place at the Waikīkī Shell with no mention of the impending crisis. The next day, however, 700 members of the faculty met to express their support for Cleveland and Gorter and to demand the resignation of Wally Fujiyama from the Board of Regents. The faculty also passed a resolution asking the Board of Regents not to appoint a new president of the university “until after the crisis has been resolved and the proper administration of the University has been restored.”²² Vince Peterson, chairman of the Mānoa Faculty Senate, was quoted as having said that members of the Board of Regents had been invited to attend this meeting, an assertion Wally Fujiyama hotly denied:

I wish they had invited me to attend because I would have been there . . . I have no alternative but to consider this a witch-hunt, which is very un-academic. . . I support their right to their point of view and surely I would hope that they would support my right to my point of view. In expressing my point of view I have not called for the resignation or removal of anyone whose view is different from mine.²³

The Hawai‘i state legislature quickly jumped into the fray as five members of the Board of Regents, including Wally Fujiyama, met with the key leadership of both the Senate and House. The next day, Acting Governor George Ariyoshi and Attorney General George Pai met with David Trask and Harlan Cleveland. That same afternoon, the *Honolulu Star-Bulletin* published a report that Wytze Gorter had agreed—before the Board of Regents announcement of May 16 and in the presence of Wally Fujiyama, David Trask, Board Secretary Roy Takeyama and Assistant Board Secretary Tatsuki Shiramizu—to give Price a five-year contract, “if it was kept secret.”²⁴ Tatsuki “Pepper” Shiramizu, in a 2008 interview with the author, challenged the idea that Wytze Gorter ever made such a proposal seriously. Shiramizu thought that such a statement might have been made in jest, but Chancellor Gorter was certainly bright enough to realize that keeping the five-year contract secret would have defeated its purpose of assuring young athletes that

²² HA, 21 May 1974: 1.

²³ HA, 21 May 1974: 1.

²⁴ HSB, 22 May 1974: A-6.

the coach recruiting them would be around for their entire college football career.²⁵ At the time, Gorter was reported to have declined comment on the contents of the article.

The whole affair finally ended when the Board of Regents met with the executive committee of the Faculty Senate in a four-hour session on May 24. It was agreed that the five-year Price contract should stand and that the Faculty Senate would rescind a motion asking for its reversal. At the conclusion of that session, Vince Peterson, chairman of the Mānoa Faculty Senate, called Regent Wally Fujiyama's role in the meeting "very, very helpful." The next day, at a faculty meeting called to approve the executive committee's actions, Peterson was subjected to heavy criticism by a vocal minority for having "caved in" to the Board of Regents. Peterson explained to the 200 members of the faculty who attended the meeting that "the Board of Regents has spent more time in the past week listening and talking with the administration and faculty than they have in the past ten years." When Peterson asked for a vote of confidence for the executive committee's action, only seven voted against the motion.²⁶

THE DRIVE FOR LOCAL LEADERSHIP

As the University of Hawai'i moved into the summer of 1974 the Larry Price controversy faded away. There was no public reaction when, on June 20, the Board of Regents officially accepted Wytze Gorter's resignation as chancellor of the Mānoa campus. The Larry Price affair had cost Gorter dearly, virtually eliminating him from consideration as the next president of the University. On July 17, the State Attorney General's Office ruled that the Board of Regents had acted legally in the extension of Price's contract, citing the administration and President Harlan Cleveland for their failure to respond to the Board.

On August 22, the Board of Regents announced the appointment of the University's new president, Fujio Matsuda, University of Hawai'i Vice President for Business Affairs and former professor and chairman of the civil engineering department. Equally significant, perhaps,

²⁵ Tatsuki Shiramizu, interview by author, 26 Jul. 2008.

²⁶ *HSB*, 25 May 1974: 1.

was the fact that Matsuda had ably served the Burns administration for ten years as Director of the State Department of Transportation. The appointment had the fingerprints of two of Hawai'i's biggest advocates for "local" talent—Governor John A. Burns and Regent Wallace S. Fujiyama. Ended, for the time being, was the era in which the University of Hawai'i sought to achieve distinction by importing nationally known leaders such as Tom Hamilton and Harlan Cleveland. To Governor Burns and Fujiyama, "Fudge" Matsuda had many things going for him: He was the son of Japanese plantation workers, a graduate of McKinley High School, one of the original members of the fabled 442nd Regimental Combat Team, and a G.I. Bill trained veteran who had ultimately earned his doctorate at the prestigious Massachusetts Institute of Technology (MIT), followed by research appointments at MIT and the University of Illinois before joining the University of Hawai'i faculty.

The crisis created by Wally Fujiyama having pushed through Larry Price's five-year contract may have passed, but less than one year later, on May 5, 1975, Wally would once again rise to the center of public attention when Athletic Director Paul Durham resigned, "for personal reasons." Dick Fishback of the *Honolulu Advertiser* in an article published one year later revealed those "personal" reasons. Fishback quotes Durham as having said, "I was made responsible for a \$2.5 million program while someone else made the decisions I had to live with." When the 1974–75 budget of the athletic department ended with a \$170,615 deficit, Durham was left holding a bag for which he refused to take responsibility. Fishback made it clear that he thought that the real responsibility lay with Regent Wally Fujiyama, "whose name has also been linked with the so-called 'Downtown Hui.'" ²⁷

THE QUEST FOR DIVISION ONE STATUS

On June 24, 1975 the University of Hawai'i announced that a three-man committee had been formed to screen applicants for the athletic director's position: Wally Fujiyama, Assistant Athletic Director Ted Livingston, and attorney James S. Burns, son of the former gov-

²⁷ HA, 5 May 1976: G-4.

ernor. Wally's growing reputation as one who would automatically favor a "local" for any key position was shattered when, on July 5, he announced his choice for the athletic director position: Elroy "Crazy Legs" Hirsch. Hirsch, who had gained a legendary football reputation as a player for the University of Wisconsin and as an all-pro running back and wide receiver with the Los Angeles Rams, was then serving as athletic director at his college *alma mater*. Since 1969 he had done an admirable job at the University of Wisconsin, taking the University from the dregs of the Big Ten to the top. As Hal Wood, *Honolulu Advertiser* sports editor wrote, "As it turned out, he was a savior. Now the Badgers are in the first division of the Big Ten in just about everything from cross-country to football and swimming. So, he did his job there and it may be that he's looking for new worlds to conquer."²⁸

The day after Wally's announcement that Hirsch was his choice for athletic director, *Honolulu Advertiser* sports writer Dan McGuire reported that, "according to mainland sources," Mackay Yanagisawa, general manager of Aloha Stadium, had presented Elroy Hirsch an offer: \$35,000 per year from the university; \$5,000 a year from the Koa Avenue booster club; a membership in the Waiālae Country Club; and a down payment on a condo. Yanagisawa was described as "a close friend of Hirsch and an influential member of the so-called Downtown Hui."²⁹ This came at a time when the state legislature had just raised the salary for the university president to \$41,400. The next day, Bill Kwon, sports editor of the *Honolulu Star-Bulletin*, wrote that Wally Fujiyama "admitted that he went to see Hirsch recently in Los Angeles, offering him the job. . . Apparently, all that remains is for Hirsch to say yes. . . It's all part of the Yanagisawa-Fujiyama-Burns Troika to get UH into the big time football world."³⁰

While the sports fans awaited word from "Crazy Legs" Hirsch, the newspapers were humming with questions about why Wally Fujiyama was turning his back on a "local" for the athletic director post—Dan McGuire favored Larry Price, "because I think he's tough enough and mean enough to be able to handle Wally." McGuire also raised ques-

²⁸ HA, 8 Jul. 1975: D-1.

²⁹ SSB & A, 6 Jul. 1975: A-1.

³⁰ HSB, 7 Jul. 1975: D-1.

tions about whether there was a conflict of interest between Wally's positions as a member of the Board of Regents "while also being a key figure in the operations of The Hawaiians of the World Football League." McGuire challenged Wally's prediction to the Quarterback Club that "he expects the UH Rainbows to outdraw the professional football team during the coming season," pointing out that the Los Angeles Rams, who then shared the Los Angeles Coliseum with the University of Southern California Trojans, were hurting their collegiate co-tenant.³¹ As it turned out, Wally was right, but not for the reasons he had stated. The Hawaiians and the World Football League folded halfway through their 1975 season.

Distractions aside, the "Crazy Legs" Hirsch episode finally ended on August 19, 1975 when, after a brief visit to Honolulu, Hirsch announced that he would return to the University of Wisconsin. Wally Fujiyama was not amused. He thought he had an agreement with Hirsch in July, only to discover that Hirsch had used the University of Hawai'i offer to get his *alma mater* to sweeten his contract, which wasn't due to expire until 1984. Once bitten—twice shy, Wally now gave his support for the athletic director job to a local, Ed Chui. Burns and Livingston wanted to re-open the search, but Wally said no and the committee was forced to disband without making a recommendation. Thirty-two years later, Jim Burns recalled: "Obviously, Ted and I were put there to rubber-stamp Wally's decision. When we failed to do that, we were no longer wanted or needed."³² The athletic director position would not be filled until July 10, 1976 when Ray Nagel, a former University of California at Los Angeles quarterback who had coached at the University of Utah (1958–1965) and the University of Iowa (1966–1970) before becoming athletic director at Washington State University (1971–1976), was hired. Wally did not participate in Nagel's selection. It was Nagel, who served as athletic director from 1976–1983, who finally led the University of Hawai'i into a NCAA Division One athletic program. Wally supported Nagel's 1977 recommendation to join the Western Athletic Conference (WAC), reversing his 1975 position on the same issue.

³¹ HA, 31 Jul. 1975: D-1.

³² James S. Burns, e-mail to author, 15 May 2008.

In 1975, Wally had argued that the University of Hawai'i could play more home games as an independent team, saving valuable travel time and dollars and providing greater opportunity for hometown fans to watch the Rainbows play. Staying independent, he asserted, did not conflict with upgrading the football program. "We already made a decision to go Division One," Wally said. "Would we build a 50,000 seat stadium to play Linfield?"³³ In 1977, Wally seemed less engaged in the debate over joining a league. "The garbage worker, the guy on the street, the average guy, this is what they want. The Manoa educational objectives won't suffer one iota from joining the WAC."³⁴

Wally Fujiyama's greatest regret about the athletic program during the time he was actively involved was the fact that Larry Price did not succeed. Price resigned as head football coach on May 11, 1977, complaining that too many promises that had been made to him had been broken. Price had completed three years of his five-year contract with a combined record of fifteen wins and sixteen losses. He had won three and lost eight in 1975. When I interviewed Larry Price, 18 years later, he became more and more agitated as we spoke. Finally, this man who had become a highly successful radio personality exploded, "This interview really pisses me off!" Then, thinking of what might have been, he gave me his bottom line: "I was born to coach."³⁵ Cliff LaBoy, the former UH defensive standout said he thought Larry Price was "the finest coach I have ever seen," high praise from a man who had played for the San Francisco 49ers and Washington Redskins before his knees gave out.³⁶ During the remaining years of Wally Fujiyama's service on the Board of Regents he would be less visibly involved with the details of the University's athletic program, but he was always a fan.

A SECOND TERM AS REGENT

When Wally Fujiyama's name came before the Senate Higher Education Committee to be confirmed for a second term as a member of

³³ *HA*, 3 Jul. 1975: F-3.

³⁴ *HSB*, 28 May 1977: A-1.

³⁵ Larry Price, interview.

³⁶ Cliff LaBoy, interview.

the Board of Regents, in April 1977, he received broad based support. As Peter Rosegg reported in the *Honolulu Advertiser*, "Testifying in behalf of Fujiyama were two senior University professors, a recently graduated law student and two legislators, Senator Joe Kuroda and Representative Ben Cayetano." One of the faculty members testifying in behalf of Wally Fujiyama, Education Professor Robert Potter, had been among the leaders of the Faculty Senate calling for Wally's resignation in 1974. "Since then," Potter is reported to have testified, "he has developed a respect for Fujiyama and has invited him to speak before [his] classes on the administration of higher education."³⁷

The only person to speak against Wally's confirmation was State Representative Neil Abercrombie. His indictment was extravagant. Abercrombie accused Wally of having "deliberately and calculatedly destroyed University athletics at Mānoa. If the University is penalized by the National Collegiate Athletic Association for breaking any rules or regulations, Fujiyama is the man to blame"³⁸ This was a strange charge since the only incident for which the NCAA had cited Wally Fujiyama for improper activities was his innocent, if ill advised, gesture of flying Jerome Freeman's mother to Hawai'i to see her son play in the 1971 Rainbow Classic basketball tournament, long before he had become a member of the Board of Regents. While the university was given a light penalty for Wally's misdeed, that penalty did not include any requirement that Wally Fujiyama sever his relationship with the University, as Abercrombie charged. In response to Abercrombie's whistle-blowing charge, the NCAA wrote back: "During its recent meeting, the NCAA Committee on Infractions reviewed the contents of your letter. . . For your information, under the terms of the penalties imposed in this case, it is permissible for Mr. Fujiyama to be involved in decisions related to the University athletic program resulting from his performance of statutory responsibilities as a regent of the University."³⁹

In 1982, when Wally Fujiyama was about to complete his final term

³⁷ *HA*, 13 Apr. 1977: A-12.

³⁸ *HSB*, 7 Apr. 1977: A-8.

³⁹ *HSB*, 24 Jun. 1977: E-1.

on the Board of Regents, the same Neil Abercrombie, by then a state senator, offered this somewhat self-serving description of the ideal University of Hawai'i regent:

What's needed is a person of the leadership, energy and will of a Wally Fujiyama, combined with my insight as to how to best accomplish the mission of the university. If we had several Wally Fujiyamas and Neil Abercrombies on the board—not like us, but like-minded—we would have a damn good school. There would be passionate dialogue between intelligent and committed people and it would lead to a resolution of conflicts that would advance the university.⁴⁰

During his second term, Wally Fujiyama became increasingly concerned with having the university serve as a launching pad for local talent. To this end, Wally became an advocate of upgrading the ethnic studies program from provisional to permanent status. Right up to his death, Wally was a regular and popular speaker in ethnic study classes. He always spoke in terms of inclusion, not exclusion. In his quest for greater opportunity for local students, however, the matter of ethnic preference became an issue.

THE TEACHING ASSISTANT CONTROVERSY

This was especially true in 1979 when an issue arose over the question of whether a 16% increase in compensation for graduate assistants—most of whom were from out of state—should be approved. Wally was quoted by Tom Kaiser in the *Honolulu Advertiser* of having said: "I have an inkling—a vague remembrance from the past—that our local kids were literally shut out of certain graduate programs because the enrollment was full-up with mainland students." Kaiser was quick to point out that "Fujiyama stressed that his comments were not directed at the university's law and medical schools, which have large percentages of local students."⁴¹ In the University of Hawai'i student newspaper, *Ka Leo O Hawaii*, Wally responded with his view of the situation:

⁴⁰ HSB, 3 Mar. 1982: A-11.

⁴¹ HA, 8 Sep. 1979: A-14.

We need to make room for Hawaii's own. We've got to take care of local students because they will take care of us later. . . I want Hawaii to be a good place for my grandchildren and great-grandchildren. To me, commitment to Hawaii has to be a factor. Why should we bring in a guy from New York, ice some local guy out and then when this guy graduates, he leaves. I cannot buy that.⁴²

Robert W. Farrell, vice president of the University of Hawai'i Graduate Student Organization responded that Fujiyama's comments were "racist" and "a backward step."⁴³ Looking back, almost 30 years later, retired University of Hawai'i English professor George Simson asserts that his statement in *Ka Leo* "reflects Wally's racism." Simson holds that many of those who created the Democratic Revolution of 1954 "harbored a lot of resentment against *haoles*."⁴⁴ Of course Wally Fujiyama was a Republican in 1954, and assertions of racism are always difficult to deal with, subject to interpretation. One man's racism may be another's affirmative action.

LOCATING THE LAW SCHOOL

Another issue with which Wally was deeply involved was the matter of where the law school should be located. Acting Dean Jerry DuPont's warning that the law school could lose its temporary accreditation if it did not move out of its makeshift quarters in the Mānoa quarry into a permanent location prompted this question. At issue was whether that location should be on the Mānoa campus or downtown. Wally favored a downtown campus in the historic Federal Building for three reasons. First, because the Federal Building could be renovated to accommodate the law school at a cost of \$2 million, versus an estimated \$8 million cost to build a new facility on the Mānoa campus. Second, because a downtown law school would place its students in close proximity to the courts and the legal community. Third, when asked for their opinion, the law school faculty voted unanimously for the downtown option.

⁴² *Ka Leo O Hawaii*, 21 Sep. 1979: 1.

⁴³ *Ka Leo O Hawaii*, 26 Sep. 1979: 2.

⁴⁴ George Simson, e-mail to author, 3 May 2008.

The Mānoa Faculty Senate did not agree. Tom Kaser reported their cries of anguish in the *Honolulu Advertiser* on November 30, 1978:

The Manoa faculty is against the move because they think the law school's main mission should be the "legal education" of the students, administrators and other non-lawyers—and not just the production of practicing attorneys. "We were sold on the law school idea several years ago. We were told it would be a big interdisciplinary thing," said music professor Allen Trubitt, "but there has been little of it."

English professor George Simson, one of the main opponents of moving the law school, charged that such a move is being "pushed down our throats" by University administrators and regents, including Wally Fujiyama. . . They want to make it a trade school. . . I'll bet you a bottle of Primo that if this move goes through, the law school will be cut off from the university within five years."⁴⁵

Looking back in 2008, Fujio Matsuda commented upon the positions taken by professors Trubitt and Simson:

The downtown location would not have precluded interdisciplinary programs, for example with philosophy/ethics, social sciences, urban planning, engineering, computer science, environmental sciences, etc. on campus. As it turned out, the new medical school is close to the old federal building, as are the major hospitals. The strongest reasons for a downtown location is proximity to the courts and law offices, for continued legal education and the proximity of adjunct faculty from the profession. Not much interdisciplinary opportunities with English and music, but I could be myopic.⁴⁶

One of the reasons Wally favored the downtown law school was the experience he had when his son, Rodney, was attending the Hastings College of Law in downtown San Francisco. Hastings, an autonomous part of the University of California system, was noted for its more practical approach to the law than Berkeley's highly regarded Boalt Hall. One was not necessarily better than the other, but they were definitely different. In 1968, while Rodney was attending Hastings,

⁴⁵ HA, 30 Nov. 1978: A-3.

⁴⁶ Fujio Matsuda, e-mail to the author, 22 Jul. 2008.

Wally helped to create the National College of Advocacy at the school. One of those who worked with Wally on this project was San Francisco attorney E. Robert Wallach. In turn, Wallach became involved with the creation of the law school at the University of Hawai'i. In 1994, Wallach addressed the matter of Wally's position regarding a downtown law school: "Wally very much wanted the law school to be downtown, as was Hastings. He did not want an ivory-tower school on a college campus. He wanted a school molded on the principle of actual involvement with the profession. He distrusted a faculty isolated from the practicing profession."⁴⁷

As it turned out, the Federal Building option became moot when the state was unable to provide an acceptable place to relocate the downtown Post Office and the U.S. Customs Service. At this point, Wally turned his efforts to bringing the retiring dean of Hastings, Marvin Anderson, to Hawai'i to see the law school through accreditation and the completion of its permanent facilities on the Mānoa campus. When the University of Hawai'i School of Law received its accreditation from the American Bar Association in 1982, Marvin Anderson, by that time chancellor of the Mānoa campus, referred to Wally Fujiyama and William Richardson as the two individuals most responsible for the creation of the law school. William Richardson, for whom the school was named, later commented—with characteristic modesty—that the law school should have been named for Wally, not for him.

Commenting on the issue of the downtown campus for the law school, as opposed to its home on the Mānoa campus, James S. Burns observed in 2008:

The Law School's location has not inhibited its quality progress. Going from the Law School to downtown is not that difficult or time-consuming. Both places are congested and lack parking. Ultimately, the Law School is better off where it is than downtown. Nowadays, downtown goes to the Law School. The ICA [Intermediate Court of Appeals] has some of its oral arguments there. A lot of lawyers are adjunct professors, just like me.⁴⁸

⁴⁷ E. Robert Wallach, letter to the author, 8 Oct. 1994.

⁴⁸ James S. Burns, e-mail message to author, 15 May 2008.

THE TENURE WAR

If the location of the law school created a minor ripple on the sea of faculty concern, the issue of tenure was a tidal wave. Wally Fujiyama was not the first to raise the matter of tenure for public consideration. During the University's governance crisis of 1974, the *Honolulu Star-Bulletin* had editorialized: "With eighty-three percent of the Manoa faculty holding job tenure, which prevents job dismissal except for cause, versus a national average of fifty percent, serious handicaps face any administration trying to upgrade weak programs."⁴⁹ Wally acknowledged that tenure had been a good thing when it was used to protect academic freedom, "but for some faculty, tenure has come to mean only a lifetime guarantee of a job." He argued, "Abolishing tenure doesn't mean abolishing due process. After all, tenure under a different name runs the whole civil service system. My main point is that tenure is not needed any more." Wally concluded his argument, which was reported in the *Honolulu Star-Bulletin* on February 20, 1979: "There is a prevailing feeling that to talk unfavorably about a colleague's professional competence is like talking about his sex life. Administrators and others who are concerned about accountability just can't deal effectively with incompetence."⁵⁰

Faculty response was swift and predictable. Any threat to tenure was like touching the proverbial "third-rail" of the academic community. When asked by a student reporter from *Ka Leo O Hawaii* why he so often found himself at the center of controversy, Wally replied, "I say things that get me into trouble all the time, but I say them for two reasons: First, I want to jar people loose. Second, well, if you have a pendulum and you want to move it to the middle, someone has to give it a little push. . . I may run into trouble, but I have never run away from it."⁵¹ Indeed he didn't. As if two terms as a member of the Board of Regents, 1974–1977 and 1977–1981, had not been enough, Wally Fujiyama answered George Ariyoshi's call once again when he

⁴⁹ *HSB*, 24 May 1974: A-22.

⁵⁰ *HSB*, 20 Feb. 1979: A-9.

⁵¹ *Ka Leo O Hawaii*, 4 Sep. 1979: 4.

accepted a final one-year interim appointment. That year was marked by highly emotional debates about faculty qualifications.

Wally Fujiyama, long an advocate that teaching should be more important than research at the University of Hawai'i, made the following highly controversial statement at a February 19, 1982 meeting of the Board of Regents at Windward Community College:

We have "minimum qualifications" for this position and "minimum qualifications" for that position and applicants look very nice—on paper. But I would tell you this: Don't tell me how many jobs you have had. Show me, instead, what kind of person you are. Show me how your character is going to be good for this institution and the students it serves. You can be smart as a whip, but if you lack character, you're an absolute zero in my book. Maybe you've published fifty articles, but you can still be an absolute snake—and we don't want snakes passing along their values to our kids. Sure it's difficult to screen for character, but just because it's difficult doesn't mean it shouldn't be done.⁵²

If Wally's intent was to "jar people loose," he had succeeded. The first published response to his February 19 comments came from associate professor Willard Keim, a member of the faculty at the Hilo campus of the University of Hawai'i: "In the February 20 *Advertiser*, the public was again regaled by the 'barbaric yawp' of Wallace Fujiyama, besmirching the character of the faculty of the University of Hawai'i. We are now 'absolute snakes.'" Keim, writing as though Fujiyama had put all University of Hawai'i faculty into the same basket, then put all members of the Board of Regents into one basket, writing, "The faculty by now should recognize that they are seen as pure scum by the Board of Regents. And so be it." He concluded by saying, "Maybe we should all go elsewhere."⁵³ A quarter of a century later, George Simson offered a more temperate observation on Fujiyama's view of tenure, suggesting that Wally should have looked at "the case of Bertrand Russell at CCNY [City College of New York] in 1940, which led to the AAUP [American Association of University Professors] statement of principles."⁵⁴

⁵² HA, 20 Feb. 1982: B-3.

⁵³ HA, 23 Feb. 1982: A-11.

⁵⁴ George Simson, e-mail message to author, 3 May 2008.

Gavan Daws, the distinguished writer of Hawaiian history, was still teaching at the University of Hawai'i at the time Wally Fujiyama came onto the Board of Regents. Although he had no personal contact with Fujiyama, Daws recently wrote: "The lack of institutional support at UH for undergraduate education was always a pain in the ass for me, and was one in the mix of reasons why I left."⁵⁵ In a later communication Daws added: "Institutionally, universities are #1 for resistance to change. . . The criteria for merit increases [at the University of Hawai'i] were supposed to be tripartite: teaching, publication, community service. In practice, publication was *it*. . . If you didn't publish, it didn't matter what your teaching/community service amounted to. And I never heard anything about a program to help teachers to teach well or at least better."⁵⁶

A LIFETIME OF SUPPORT

On a lighter note, five months after Wally's death, Fujio Matsuda wrote about an event that took place in 1980 that captured the spirit of this man for whom the University of Hawai'i meant so much:

Wally loved university athletics; that everyone knows. He was a loud presence in the crowd, scolding umpires and yelling out instructions to the coaches. That was the public Wally. The private Wally would go out of his way to help the team, quietly, without publicity and without seeking recognition. When he was Chairman of the Board of Regents of the University of Hawai'i, the UH baseball team was selected to play in the College World Series in Omaha. Wally had to be there, of course, but not just to sit in the stands; he decided that the team deserved a public reception. So he, at his own expense, brought to Omaha all the ingredients of a local style reception: sushi, sashimi, Hawaiian pupus, the works. It was a big hit with the players and invited guests from other universities. Wally, the host and Chairman of the UH Board of Regents, was behind the counter cutting sushi, serving drinks, keeping the plates filled. When Wally believed in something, he went all the way.⁵⁷

⁵⁵ Gavan Daws, e-mail message to author, 3 May 2008.

⁵⁶ Gavan Daws, e-mail message to author, 5 May 2008.

⁵⁷ Fujio Matsuda, letter to author.

Leaving the Board of Regents did not mean that Wally Fujiyama had abandoned his interest in the University of Hawai'i or the local sports scene. On April 8, 1982, on the eve of Wally's retirement from the Board of Regents, Governor George Ariyoshi announced his nomination of Wally Fujiyama to serve as a member of the Board of Directors of the Hawai'i Stadium Authority. He remained a regular fixture at University of Hawai'i sporting events and served his *alma mater* as a member of the University of Hawai'i Foundation and, during the last year of his life, as president of the University of Hawai'i Alumni Association.